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Security Council

Forty-ninth Year

Provisional

3462nd Meeting

Saturday, 19 November 1994, 2.45 p.m.

New York

President:	Mrs. Albright	(United States of America)
Members:	Argentina	Mr. Cárdenas
	Brazil	Mr. Fujita
	China	Mr. Li Zhaoxing
	Czech Republic	Mr. Rovensky
	Djibouti	Mr. Olhaye
	France	Mr. Ladsous
	New Zealand	Mr. Keating
	Nigeria	Mr. Ayewah
	Oman	Mr. Al-Khussaiby
	Pakistan	Mr. Marker
	Russian Federation	Mr. Lavrov
	Rwanda	Mr. Bakuramutsa
	Spain	Mr. Yañez-Barnuevo
	United Kingdom of Great Britain and Northern Ireland	Sir David Hannay

Agenda

The situation in the Republic of Bosnia and Herzegovina

94-87149 (E)

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The meeting was called to order at 2.45 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Republic of Bosnia and Herzegovina

The President: I should like to inform the Council that I have received letters from the representatives of Bosnia and Herzegovina, Croatia and Germany in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Sacirbey (Bosnia and Herzegovina) and Mr. Nobilo (Croatia) took places at the Council table; Mr. Graf zu Rantzau (Germany) took the place reserved for him at the side of the Council Chamber.

The President: The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/1994/1317, which contains the text of a draft resolution submitted by France, Germany, the Russian Federation, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

The first speaker is the representative of Bosnia and Herzegovina, on whom I now call.

Mr. Sacirbey *(Bosnia and Herzegovina):* We understand that the draft resolution before the Security Council is designed to facilitate the efforts of the United Nations Protection Force (UNPROFOR) under its peace-keeping mandate. We support all such efforts consistent with our territorial integrity and sovereignty and the interests and well-being of all our citizens. I believe that all of us also understand the most critical role of the Government of the Republic of Bosnia and Herzegovina with regard to these efforts and in peacemaking.

Until such time as the so-called Bosnian Serbs, their sponsors and their allies accept the Contact Group peace plan, until there is a comprehensive effort at peacemaking, the safe areas concept can be viewed only as a very helpful and appreciated, but, unfortunately, inadequate, tool secondary to our Government's responsibilities and efforts at defence and peacemaking.

We understand that some may attempt to use this draft resolution as a means of undermining our Government's rights and responsibilities in such efforts. We remind them that they must also confront the reality of the United Nations Charter, as well as the reality of the current inadequate efforts at peacemaking in our country.

Some may also — though I hope not — have the cynical expectation that the draft resolution before the Council will be inappropriately usurped not only to revise the definition of safe areas in a manner inconsistent with the United Nations Charter and various Security Council resolutions — in particular, resolutions 824 (1993) and 836 (1993) — but also as a way to nullify any UNPROFOR and/or North Atlantic Treaty Organization (NATO) action to protect the safe areas by, in fact, making the definition of safe areas unattainable and unrealistic. It would be most inappropriate and sad if some argued that the mandated response was not forthcoming because the safe area had once again not met the ever-moving and elusive standards defining what is a safe area.

As for the issue of Sarajevo, we have all along proposed to the Council and all who would listen that we favour the demilitarization of Sarajevo — that is, a demilitarization consistent with the Contact Group peace plan, with the opening up of the city from within and without, and as a united city, and not demilitarization that would impose on Sarajevo the shame of being divided in the same way as Berlin was divided in the post-Second-World-War era.

We remain prepared to move ahead, but we must not delude ourselves into taking a course of action that has as its underlying basis that we shall do only that which is neutral — that is, that which is consistent with the desires of the besieger and the partitioner. This would be to reverse the entire concept of neutrality and peace-keeping — effectively, to serve the purposes of the status quo, the maintenance of the barbaric sieges and inhumane partition.

On the basis of efforts in this regard, in respect of Sarajevo, we are prepared sincerely to evaluate other options for other safe areas that would not undermine our territorial integrity or sovereignty, United Nations Security Council resolutions and the peace process.

One member of the Security Council has suggested that the attacks upon the civilian population of the Bihac area were somehow provoked by defensive actions of the army of the Republic of Bosnia and Herzegovina against other military elements invading or carrying out aggression against our country. I am sure that this Council member would not wish to have his statement before the Council today understood as either usurping the current draft resolution in an attempt to abridge our Republic's territorial integrity and sovereignty, in a manner most inconsistent with the United Nations Charter, or as an attempt to mitigate the responsibility for these attacks of those who have targeted civilians with artillery, helicopters, aircraft, ground-to-ground missiles and even napalm and cluster bombs.

Anyway, the blocking of humanitarian supplies to the Bihac area has taken place since May 1994 — well before any so-called provocative actions. I believe that this member's comments would have been more accurate if the denial of this humanitarian assistance and the refusal of the Serbian party to accept the Contact Group peace plan had been defined as provocative acts, now persisting for over two and a half years.

We, the Government of the Republic of Bosnia and Herzegovina, cannot shoulder the responsibility of the Contact Group — in particular, some members of the Contact Group — to bring the Serbian side to accept the plan. We continue to do our part to defend our territorial integrity and sovereignty and still maintain, no matter how difficult it may be, our commitment to the Contact Group peace plan.

Finally, I believe it to be most absurd to suggest that any defensive action by the Republic of Bosnia and Herzegovina within its own Republic can in any way justify a cross-border attack, an act of aggression from the United Nations protected areas in a neighbouring country.

The President: It is my understanding that the Council is ready to proceed to the vote on draft resolution S/1994/1317. If I hear no objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Argentina, Brazil, China, Czech Republic, Djibouti, France, New Zealand, Nigeria, Oman, Pakistan, Russian Federation, Rwanda, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 959 (1994).

I shall now call on those members of the Council who wish to make statements following the voting.

Mr. Ladsous (France) *(interpretation from French):* The situation in Bosnia and Herzegovina has deteriorated considerably in recent weeks, particularly in the Bihac pocket, but also in other places, notably Sarajevo and its surroundings. Without steps to stabilize the situation in and around the safe areas, there will be a great danger of the emergence of new hotbeds of tension and of further escalations.

As members of the Council know, the Contact Group intends to continue its diplomatic efforts to obtain from all the parties an undertaking to adhere to the territorial settlement plan. The continuation of current hostilities, and possible new military action launched from the safe areas or directed against them, may seriously compromise the efforts now being made to secure the agreement of all the parties concerned on the peace plan.

Although it refers to the specific situation in Bihac or in Sarajevo, the resolution relates to an overall problem that potentially affects all the safe areas. My delegation fully supports the spirit of the text, whose purpose is to specify and strengthen the regime applicable in the safe areas, taking account of the particular circumstances of each of them.

In this connection, we welcome the request to the Secretary-General that he update the recommendations in his report of 9 May with regard to the implementation of the concept of safe areas. We also welcome the fact that the resolution requests the Secretary-General and the United Nations Protection Force (UNPROFOR) to intensify their efforts to reach agreement with the parties

on the demilitarization of Sarajevo, which my Government has been proposing for a long time.

My delegation sincerely hopes that the resolution we have just adopted will effectively help to strengthen the safe areas regime as a whole so as to prevent the spread of hostilities and to make the pursuit of diplomatic efforts possible.

Sir David Hannay (United Kingdom): Last Sunday, 13 November, this Council expressed its concern at the deteriorating situation in and around Bihac. It had occasion to issue a further statement on the same subject yesterday.

Today's news from Sarajevo is not encouraging. Though, overall, the situation there is markedly improved compared to that of a year ago, the position in all the safe areas remains fragile and uncertain. It is right, therefore, that the Security Council should look again at the modalities for implementing the safe areas concept and seek the views and recommendations of the Secretary-General. It is regrettable that it has not been possible for more to be done by way of follow-up to the extremely useful recommendations he has already made in his report of 9 May 1994 (S/1994/555).

The resolution we have just adopted was co-sponsored by the Contact Group, and we are grateful to the delegation of the Russian Federation for its timely initiative in coming forward with the original draft.

My delegation attaches particular importance to the request in this resolution to the Secretary-General and the United Nations Protection Force (UNPROFOR) to intensify their efforts to achieve agreement on modalities for the demilitarization of Sarajevo. If demilitarization could be achieved, it would indeed transform life in that city and enable its citizens to enjoy, for the first time in two years, what we here casually describe as "normalcy". That is a worthy goal, and one that goes to the heart of UNPROFOR's humanitarian mandate. It deserves the support it has received from the Council.

Mr. Lavrov (Russian Federation) *(interpretation from Russian)*: In the opinion of the delegation of the Russian Federation, the resolution just adopted by the Security Council is an important step in the efforts towards a settlement of the conflict in Bosnia and Herzegovina. We have been saying for a long time that there was a need to strengthen the regime and refine the concept of safe areas. This idea was also clearly reflected in the Geneva communiqué of the Ministers of Foreign Affairs of the Contact Group on 30 July 1994.

Unfortunately, the adoption of this decision was considerably delayed, and the international community was unable to prevent a new twist in the development of the dangerous military confrontation in Bosnia that has occurred in recent days, a confrontation which has led to the deaths of many people and resulted in new flows of refugees and in obstacles to the supply of humanitarian assistance.

Had this resolution been adopted earlier, it is possible that the situation would have been different today. We expect that the Council's resolution will make it possible to avoid similar tragic situations in other safe areas by anticipating them.

We expect that by 1 December next, the Secretary-General, in updating the useful report that was submitted to us last May (S/1994/555), will submit to the Council further recommendations on the modalities of the implementation of the concept of safe areas, taking into account the experience gained by the United Nations Protection Force (UNPROFOR) over the last year and a half, including the negative experience.

All this experience quite clearly shows that the main purpose of these areas is to protect the civilian population, not to protect the territory let alone the troops of one of the parties to the conflict. The role of UNPROFOR in the protection of the safe areas consists primarily in assisting humanitarian aid operations and also in contributing to a comprehensive peace process by bringing about agreements on a cease-fire and the separation of forces.

It is extremely important that the Bosnian parties should fully respect the status and functions of UNPROFOR, and that they should cooperate with UNPROFOR in its efforts to ensure implementation of the relevant Security Council resolutions.

Naturally, the status of the safe areas and the interests of the people there are incompatible, as has repeatedly been pointed out by the Secretary-General, with the use of those areas for military production or for the recuperation, training or equipping of military units, let alone for attempts to launch acts of provocation and offensive actions.

Like other members of the Council, Russia is perturbed by the continuing tension in and around Sarajevo. We expect that the resolution we have adopted will help the efforts of the Secretary-General and of UNPROFOR to reach an agreement with the Bosnian parties on the process of the demilitarization of Sarajevo in the interest of the full and final restoration of peaceful conditions in that long-suffering city.

We would particularly like to stress the provision in the resolution concerning the need for a lasting peace settlement in accordance with the Contact Group peace plan. Many of the participants in this meeting, including the representative of Bosnia and Herzegovina who was invited to speak, have spoken in support of this plan.

We are confident that the adoption of this plan, including the map and a just constitutional arrangement, would in itself open the way towards a stable peace in Bosnia.

Mr. Yañez-Barnuevo (Spain) *(interpretation from Spanish)*: The recent intensification of fighting in Bosnia and Herzegovina has particularly affected certain safe areas, specifically Bihac, Sarajevo and Tuzla. We are especially worried about the consequences that this will certainly have for the civilian population, with the inevitable aftermath of innocent victims and an increase in the number of displaced persons.

Protection of the civilian population is, and always has been, our first priority. This is the purpose of the concept of safe areas established by a number of Security Council resolutions. As we have said on earlier occasions, we must strengthen and develop the regime that applies to safe areas, taking into account the criteria stated by the Secretary-General in a number of reports, as well as the particular characteristics of each of the safe areas. In any event, that regime would need to be modified as circumstances warranted. The resolution that we have just adopted, resolution 959 (1994), which my country sponsored together with the countries that make up the Contact Group, responds to these needs.

Under this resolution, the Secretary-General is requested to submit as soon as possible specific proposals designed to clarify the regime relating to safe areas. We hope to receive that report within the deadline established, that is, by 1 December this year. In any event, the parties to the conflict must work together to this end, must cooperate fully with UNPROFOR, must show maximum restraint and put an end to the hostilities in and around the safe areas.

In order to protect the civilian population, the safe areas should not be the object of attacks, nor should they serve as bases for attacks.

It is quite clear that, as was already pointed out in resolution 836 (1993), the concept and the implementation of the concept of safe areas cannot in itself solve the conflict. It is essential that negotiations be pursued in order to arrive at a fair and lasting settlement to the conflict. It is also essential to avoid any measures that could lead the parties to seek a solution through the force of arms. We shall never tire of repeating that there cannot be any military solution to the conflict that would be either feasible or acceptable in the eyes of the international community.

Mr. Keating (New Zealand): We voted in favour of this resolution, but my purpose in speaking is to say that we do have some reservations about certain aspects of it. We believe that this resolution would have benefited from further reflection and further negotiation. We recall that it was made available to Council members as a whole only yesterday morning.

Our reservations stem from the fact that we believe that the safe areas have been restrictively interpreted on a number of occasions, contrary to the spirit and intention of resolutions 824 (1993) and 836 (1993). We also have reservations about many of the conclusions of the Secretary-General's reports of 10 March, 16 March and 9 May 1994. We expressed those reservations firmly in informal consultations when they were discussed. In this context, we would have to say that we believe that any updating, as called for in operative paragraph 5 of this resolution, will, we believe, require some radical new thinking rather than simple updating.

We believe that the Contact Group peace plan has significantly changed the underlying parameters against which the concept of safe areas should be reviewed. The Security Council has of course approved and endorsed that plan, and it does so again in the resolution we have adopted today. We believe that any proposals for defining the geographical scope of future demilitarized safe areas, if they are to meet with consensus in this Council, must envisage sufficiently large areas for the population to lead a normal life, and the overall framework for such future demilitarized safe areas should reinforce and certainly not

undermine the areas envisaged in the Contact Group peace plan.

The President: There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The Security Council will remain seized of the matter.

The meeting rose at 3.15 p.m.